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August 15, 2023

The Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

Re: Florentino v. Alphonso's Pizzeria Inc., et al.,
Dkt. No.: 23-cv-02537-KPF

MEMO ENDORSED

Dear Judge Failla:

The referenced matter is an FLSA action seeking damages for unpaid overtime, notice violations, liquidated damages and spread of hours from Defendants Alphonso's Pizzeria Inc., et al. To-date there has been no appearance entered on behalf of any of the named defendants. However, we have been unable to get in contact with our client, Bonifacio Florentino. The undersigned, and the office staff have called Mr. Florentino on numerous occasions in the past four weeks, but we have received no answer from him. Additionally, on July 24, 2023, we sent a letter to Mr. Bonifacio's home address requesting him to contact the office.

Accordingly, the undersigned requests additional time to attempt to get in contact with our client, Mr. Florentino so that he can advise us on his desires going forward. For the reasons discussed above, it is respectfully requested this Court grant Plaintiff's counsel an extension of time to September 18, 2023 to file a status report.

Respectfully submitted,

/s/ Heriberto Cabrera

Application GRANTED IN PART. Plaintiff's deadline to file default judgment papers or a status update regarding settlement discussions is hereby extended to **August 29, 2023**. Plaintiff has had ample opportunity to prosecute this case and has failed to do so. The same applies to Plaintiff's counsel, who failed to respond to the Court's emails on three separate occasions. Plaintiff is reminded that the next step, should he choose not to file the above, is an order to show cause for failure to prosecute. Further extensions will not be granted.

The Clerk of Court is directed to terminate the pending motion at docket number 10.

Dated: August 15, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE